

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**VICTOR ALFONSO VASQUEZ,**

**Defendant.**

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**Case No. 3:18-CR-05027-01-MDH**

**ORDER**

Before the Court is the Report and Recommendation of the Magistrate Judge. (Doc. 25). On January 9, 2019, Defendant moved for a psychiatric examination under 18 U.S.C. § 4241, claiming he was mentally unfit to stand trial. On September 5, 2019, a forensic psychologist, Jeremiah Dwyer, Ph.D., submitted a forensic report of Defendant wherein he determined Defendant displayed “an overall adequate understanding of the criminal charges and related court proceedings” and was able to assist in his defense and conduct himself appropriately during legal proceedings. (Doc. 21 at 13, 16-17). A competency hearing was held on October 7, 2019 (Doc. 23), after which the Magistrate Judge submitted a Report and Recommendation wherein he found by a preponderance of the evidence that Defendant was not presently suffering from a mental disease or defect that would render him unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Defendant has not filed exceptions, and the matter is ripe for review.

After careful review of the entire record, including Dr. Dwyer’s report and the transcript of the competency hearing, the Court agrees with the conclusion of the Magistrate Judge and finds by a preponderance of the evidence that Defendant is not presently suffering from a mental disease

or defect that would render him unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Consequently, the Court finds Defendant is competent to stand trial.

**IT IS SO ORDERED.**

DATED: November 15, 2019

/s/ Douglas Harpool  
**DOUGLAS HARPOOL**  
**UNITED STATES DISTRICT JUDGE**